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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,979	11/03/2003	William R. Haas	200209822-1	5339

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EXAMINER

EGAN, SCOTT T

ART UNIT	PAPER NUMBER
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2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/699,979

Applicant(s)

HAAS ET AL.

Examiner

Scott Egan

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. **Claims 1-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Fredlund et al. (US2003/030128287)** in view of **Yawitz (US 6,597,375)**.

Consider **claim 1**, Fredlund et al. explicitly teach "a digital camera (digital camera Fig 1) comprising:

an image sensor (image sensor 314 Fig 1) for capturing digital images;

a processor (processor 320 Fig 1) coupled to the image sensor;

a memory device (removable memory card 16 Fig 1) coupled to the image

sensor and processor for storing captured images; and

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a user interface (graphical user interface shown in Fig 3, paragraph [0052] lines 1-4) comprising a display device (LCD image display 332) for selectively displaying stored images.”

However, Fredlund et al. do not explicitly teach a slide bar, and left and right slidable buttons that are moveable in left and right directions across the slide bar and that are operative to display a stored still image corresponding to the location of the respective slidable button.

In the same field of endeavor Yawitz teaches a video editor, which allows the user to edit captured video clips. Yawitz further teaches a user interface with a time bar 54 and control elements 56 and 58 as seen in figure 2, which are used to edit the stored video by selecting the starting frame and the end frame of the desired clip (column 3 lines 35-49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the bar with control elements found in Yawitz into the user interface found in Fredlund et al. in order to provide the user with a understandable, time efficient and easy to master interface for video editing (Yawitz column 2 lines 42-54).

Consider **claim 2**, Fredlund et al. further teach that the “buttons (push buttons 360) are depressible to activate respective switches (the activity of the buttons is understood to activate respective switches for their respective purposes, see paragraph [0034] lines 7-31).”

Consider **claim 3**, the interface described above by the combination of Fredlund et al. and Yawitz further teaches "The digital camera recited in Claim 2 wherein the left slidable button (control element 56) is depressible (Fredlund et al. describe an interface with depressible buttons paragraph [0035]) to select the first frame of video and crop preceding frames, and wherein the right slidable button (control element 58) is depressible to select the last frame of video and crop succeeding frames (Yawitz column 3 lines 35-49 and column 4 lines 44-51)."

Consider **claim 4**, Fredlund et al. further teach "the digital camera recited in Claim 1 wherein the display device (LCD image display 332) is capable of displaying color images and text overlay (LCD screens are capable of displaying both see also paragraph [0023] lines 10-11 which describe a text stored by the camera that could be displayed)."

Consider **claim 5**, Fredlund et al. further teach "the digital camera recited in Claim 4 wherein the display device comprises a liquid crystal display (LCD image display 332)."

Consider **claim 6**, the interface described above by the combination of Fredlund et al. and Yawitz further teaches "the digital camera recited in Claim 1 wherein the left and right slidable buttons are slidable to scroll through images stored in the camera (column 3 lines 63-67 and column 4 lines 1-3, the described function of flipping through individual frames is interpreted as flipping through individual images that were captured by the camera)."

Consider **claim 7**, Fredlund et al. explicitly teach "a method comprising the steps of:

providing a digital camera (digital camera Fig 1) that comprises an image sensor (image sensor 314 Fig 1) for capturing digital images, a processor (processor 320 Fig 1) coupled to the image sensor, a memory device (removable memory card 16 Fig 1) coupled to the image sensor and processor for storing captured images, and a user interface (graphical user interface shown in Fig 3, paragraph [0052] lines 1-4) comprising a display device (LCD image display 332) for selectively displaying recorded images;

recording video on the digital camera (paragraph [0021] lines 2-5);"

However, Fredlund et al. do not explicitly teach the use of a slide bar with left and right slidable buttons that display images corresponding to the location of the respective button and or display individual frames of video.

In the same field of endeavor Yawitz teaches a video editor, which allows the user to edit captured video clips. Yawitz further teaches a user interface with a time bar 54 and control elements 56 and 58 as seen in figure 2, which are used to edit the stored video by selecting the starting frame and the end frame of the desired clip, images corresponding to the position of the sliding control elements are then displayed on the screen (column 3 lines 35-49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the bar with control elements found in Yawitz into the user interface found in Fredlund et al. in order to provide the user with a

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understandable, time efficient and easy to master interface for video editing (Yawitz column 2 lines 42-54).

Consider **claim 8**, the method described in the combination above further teaches "the method recited in Claim 7 wherein the recorded video is cropped by selectively depressing (Fredlund et al. describe an interface with depressible buttons paragraph [0035]) the left and right slidable buttons (Yawitz control elements 56 and 58), wherein the left slidable (control element 56) button is depressed to select the first frame of video and crop preceding frames, and wherein the right slidable button (control element 58) is depressed to select the last frame of video and crop succeeding frames (Yawitz column 3 lines 35-49 and column 4 lines 44-51)."

Consider **claim 9**, Fredlund et al. further teach that "the display device (LCD image display 332) is capable of displaying color images and text overlay (LCD screens are capable of displaying both see also paragraph [0023] lines 10-11 which describe a text stored by the camera that could be displayed)."

Consider **claim 10**, Fredlund et al. further teach that "the display device comprises a liquid crystal display (LCD image display 332)."

Consider **claim 11**, the method described in the combination above further teaches "the step of selectively sliding the left and right slidable buttons to scroll through images stored in the camera (column 3 lines 63-67 and column 4 lines 1-3, the described function of flipping through individual frames is interpreted as flipping through individual images that were captured by the camera)."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Taylor et al. (US 5,956,083) teaches a camera, which allows a user to create a comb subset of frames from a video, in other words it allows the user to clip a video on the camera. Ubillos (US 6,621,503) teaches and video editing system with a slide bar for selected clips of video or sound to cut out of an original video sequence.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Egan whose telephone number is (571) 270-1452. The examiner can normally be reached on Monday-Friday 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571) 270-1455. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SE



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